

UNITED STATES DISTRICT COURT

U.S. COURTS

Office of the Clerk  
District of Oregon

02 JUL 12 AM 10:29

740 United States Courthouse  
1000 S.W. Third Avenue, Portland, Oregon 97204-2902  
(503) 326-8003/8008

REC'D FILED  
CAMERON S. BURKE  
CLERK IDAHO

**DONALD M. CINNAMOND**  
Clerk of Court

**DANNY ARMSTRONG**  
Division Manager

**ROBERT M. WALCH**  
Chief Deputy Clerk

July 9, 2002

Mr. Cameron S. Burke  
Clerk  
United States District Court  
James A. McClure Federal Building  
and United States Courthouse, MSC 039  
550 West Fort Street  
Boise, ID 83724

Dear Mr. Burke;

SUBJECT: U.S. vs Kenneth L. Pugh Oregon Case No. 02-M-491; Your Case No. CR 02-114-S-BLW

Pursuant to the Commitment to Another District signed by Judge Dennis J. Hubel on July 3, 2002, enclosed are certified copies of the entire court file along with a certified copy of the docket sheet. Please return the enclosed copy of this letter to our office.

Sincerely,

DONALD M. CINNAMOND, CLERK

  
By J. Raun, Deputy

cc: File

Docket as of July 9, 2002 2:05 pm

Page 1

Proceedings include all events.

3:02m 491-ALL USA v. Pugh

U.S. District Court  
U.S. District Court for the District of Oregon (Portland)

CRIMINAL DOCKET FOR CASE #: 02-M -491-ALL

USA v. Pugh  
Dkt# in other court: None

Filed: 07/03

Case Assigned to: Unassigned

KENNETH L PUGH (1)  
Defendant

Ruben Iniguez  
[COR LD NTC pda]  
Federal Public Defender  
101 SW Main Street  
Suite 1700  
Portland, OR 97204  
503-326-2123

Pending Counts:

NONE

Terminated Counts:

NONE


Complaints

Disposition

complaint filed

U. S. Attorneys:

NONE

Certified to be a true and correct  
copy of original filed in my office.  
Dated 7-9-02  
Cinnamon, Clerk  
Deputy  


Docket as of July 9, 2002 2:05 pm

Page 2

Proceedings include all events.

3:02m 491-ALL USA v. Pugh

7/3/02 -- DEFENDANT Kenneth L Pugh arrested (raun)  
[Entry date 07/09/02]

7/3/02 1 MINUTES OF PROCEEDINGS before Judge Dennis J. Hubel  
regarding Defendant Kenneth L Pugh - first appearance  
Kenneth L Pugh on charge from the District of Idaho. Or  
appointing Federal Defender. Attorney Ruben Iniguez  
present Defendant waived identity hearing(cc: Counsel  
notified) Court Rptr Tape: FTR (raun) [Entry date 07/09/02]

7/3/02 2 REMOVAL hearing waived as to Kenneth L Pugh (raun)  
[Entry date 07/09/02]

7/3/02 3 DETENTION ORDER of Defendant Kenneth L Pugh by Judge  
Dennis J. Hubel (raun) [Entry date 07/09/02]

7/3/02 4 COMMITMENT to District Idaho for Kenneth L Pugh Judge  
Dennis J. Hubel (raun) [Entry date 07/09/02]

[END OF DOCKET: 3:02m 491-0]

Issued

UNITED STATES DISTRICT COURT

2002 JUL -3 P 3:04

FOR THE DISTRICT OF OREGON

CLERK, U.S. DISTRICT COURT  
DISTRICT OF OREGON  
PORTLAND, OREGON

UNITED STATES OF AMERICA

COMMITMENT TO  
ANOTHER DISTRICT

v.

Case No. 02-M-491

Kenneth L. Pugh,

Defendant

The defendant is charged with a violation of Title 18, U.S.C. § 1344 alleged to  
have been committed in the District of Idaho:

Brief description of charge(s): Bank Fraud

The defendant has been unable to obtain release under the Bail Reform Act of 1984,  
18 U.S.C. §3141-3143.

TO THE UNITED STATES MARSHAL

You are hereby commanded to take custody of the above named  
defendant and to transport that defendant with a certified copy of this  
commitment forthwith to the district of offense as specified above and there  
deliver the defendant to the United States Marshal for that District or to  
some other officer authorized to receive the defendant, all proceedings  
required by Fed.R.Crim.P. 40 having been completed.

July 3, 2002  
Date

Dennis James Hobel  
Judicial Officer

RETURN: This commitment was received and executed as follows:

Date Order Received: \_\_\_\_\_ Place of Commitment: \_\_\_\_\_

Date Defendant Committed \_\_\_\_\_

Date: \_\_\_\_\_ U.S. Marshal by (Deputy) \_\_\_\_\_

Certified to be a true and correct  
copy of original  
Dated 7-9-02  
By Donald M. Cinnamon, Clerk  
Deputy

Maun

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IN THE UNITED STATES DISTRICT COURT

FILED

FOR THE DISTRICT OF OREGON

UNITED STATES OF AMERICA,

Plaintiff,

v.

Kenneth Lamar Pugh

Defendant(s)

CR 02-m-491

ORDER OF DETENTION AFTER  
HEARING (18 USC § 3142(i))

2002 JUL -3 P 3: 0

CLERK, U.S. DISTRICT COURT  
DISTRICT OF OREGON  
PORTLAND, OREGON

BY

☒ On motion of the Government involving an alleged:

☐ risk to the safety of any other person or the community for cases involving crimes described in 18 USC § 3142(f)(1)

☒ serious risk defendant will flee:

☐ serious risk defendant will obstruct or attempt to obstruct justice, or threaten, injure, or intimidate a prospective witness or juror or attempt to do so,

☐ Upon consideration by the court *sua sponte* involving a:

☐ serious risk defendant will flee:

☐ serious risk defendant will obstruct or attempt to obstruct justice, or threaten, injure, or intimidate a prospective witness or juror or attempt to do so,

Having considered the nature and circumstances of the offense charged, the weight of evidence against the defendant, the history and characteristics of the defendant, and the nature and seriousness of the danger to any person and to the community that would be posed by the defendant's release, the court finds that:

☒ No condition or combination of conditions will reasonably assure the appearance of defendant as required due to:

☐ Foreign citizenship and/or illegal alien status

☐ INS detainer

☐ Use of ☐ aliases ☐ multiple or false identification

☐ Prior deportation(s)

☐ Unknown family/employment/community ties

☐ Unstable or no residence available

☐ Pertinent information ☐ unverified/unverifiable ☐ conflicting

☐ History of ☐ substance use/abuse ☐ mental illness

☒ Prior failure(s) to appear and/or supervision failure(s)

☒ Outstanding warrant(s)

☒ Supervision Failure

☐ No condition or combination of conditions will reasonably assure the safety of other persons and the community due to:

☐ Nature of offense

☐ Arrest behavior

☐ Criminal history

☐ Possession of weapon(s)

☐ Prior supervision failure(s)

☐ History of ☐ substance use/abuse ☐ mental illness ☐ violent behavior

☐

☐ Defendant poses a serious risk of obstructing justice or threatening, injuring or intimidating a witness and/or juror because

☐ Defendant has not rebutted by sufficient evidence to the contrary the presumption provided in 18 USC § 3142(e).

THEREFORE, IT IS ORDERED that:

1. ☒ Defendant is detained prior to trial;

2. ☐ Defendant is committed to the custody of the Attorney General for confinement in a corrections facility separated, as far as practicable, from persons awaiting or serving sentences or being held in custody pending appeal;

3. Defendant shall be afforded a reasonable opportunity for private consultation with his counsel;

4. The superintendent of the corrections facility in which defendant is confined shall make the defendant available to the United States Marshal for the purpose of appearance in connection with any court proceeding.

DATED: July 3, 2002.

United States Magistrate Judge

Certified to be a true and correct  
copy of original filed in my office.

Dated

Donald M. Cinamon, Clerk

By

Deputy

FILED

UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

UNITED STATES OF AMERICA

v.

Kenneth L. Pugh,

Defendant

WAIVER OF REMOVAL  
HEARING

Case No. 02-M-491

2002 JUL -3 P 3:04  
CLERK, U.S. DISTRICT COURT  
DISTRICT OF OREGON  
PORTLAND, OREGON

I, Kenneth L. Pugh, charged in a proceeding pending in the District of Idaho, with violation of: Title 18, U.S.C. § 1344, and having been arrested in the District of Oregon and taken before Dennis J. Hubel, United States Magistrate Judge for that district, who informed me of the charge and of my right to retain counsel or request the assignment of counsel if I am unable to retain counsel, and to have a hearing or execute a waiver thereof, do hereby waive a hearing before the aforementioned magistrate and consent to the issuance of a warrant for my removal to the charging district.

I HEREBY WAIVE:

☐ identity hearing

☐ preliminary examination

☒ identity hearing and have been informed I have no right to preliminary examination

☐ identity hearing but request a preliminary examination be held in prosecuting district

Dated: 7-03-02

Kenneth L. Pugh  
(Signature of Defendant)

Witness:

Dennis J. Hubel  
United States Magistrate Judge

Certified to be a true and correct  
copy of original filed in my office.  
Dated 7-9-02  
By Donald M. Cinnamond, Clerk  
Deputy

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UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON

CRIMINAL MINUTES

Case No.: 02-M-491

Date of Proceeding: 7/3/02

Presiding Judge: Dennis Hubel

Courtroom Deputy: Kathleen Bartholomew

Reporter: VB

Tape No: FTN

AUSA: Kent Robinson  
(for: \_\_\_\_\_)

DOCKET ENTRY: (Interpreter: \_\_\_\_\_)

Record of: ☐ time set for ☐ First Appearance ☒ Initial Appearance ☐ Arraignment ☐ Detention Hearing  
☐ Preliminary Hearing ☐ Pretrial / ☐ Supervised Release Violation ☒ Rule 40 Proceedings ☐ Status Hearing:

☒ ORDER - appointing Federal Defender/CJA Attorney to represent defendant(s).

☐ Defendant(s) advised of charges ☒ Defendant(s) waived reading of the indictment/information.

☐ Defendant(s) advised of rights ☐ Defendant(s) waived advice of rights.

☒ Defendant(s) waived ☐ preliminary ☒ identity ☐ removal hearing.

☐ ORDER - continuing/re-setting/setting a ☐ preliminary/☐ detention/☐ status hearing/☐ arraignment before the duty Magistrate Judge on \_\_\_\_\_.

☐ Gov't witness(es) sworn: \_\_\_\_\_.

☐ Defense witness(es) sworn: \_\_\_\_\_.

☐ ORDER - finding probable cause.

☐ ORDER - setting arraignment on: \_\_\_\_\_ before the duty magistrate.

☐ ORDER - defendant is detained. ☐ flight ☐ danger ☐ pending further hearing ☐ before Judge \_\_\_\_\_.

☐ ORDER - defendant is released on conditions. (see separate order)

☐ ORDER - defendant's plea(s) of not-guilty is entered.

☐ ORDER - setting trial before Judge \_\_\_\_\_ on \_\_\_\_\_ at 9:00 a.m.

**Please use the above case number and initials on all future documents and correspondence in this action.**

☐ ORDER - discovery to be provided within 10 days, motions due in 21 days.

☐ ORDER - setting a violation hearing before Judge \_\_\_\_\_ on \_\_\_\_\_ at \_\_\_\_\_.

☐ ORDER - The defendant shall proceed under the true name of \_\_\_\_\_, and the indictment or information shall be so amended by interlineation.

☐ ORDER - \_\_\_\_\_.

☐ ORDER - \_\_\_\_\_.

(OTD: \_\_\_\_\_ - Gov't case: \_\_\_\_\_ days)

DEFENDANT

COUNSEL

(1) Kenneth Pugh  
☒ Present ☐ O/R ☐ Bond ☒ Custody

(1) Ruben Triguera  
☒ Present ☐ Appointed ☐ Retained

(2) \_\_\_\_\_  
☐ Present ☐ O/R ☐ Bond ☐ Custody

(2) \_\_\_\_\_  
☐ Present ☐ Appointed ☐ Retained

(3) \_\_\_\_\_  
☐ Present ☐ O/R ☐ Bond ☐ Custody

(3) \_\_\_\_\_  
☐ Present ☐ Appointed ☐ Retained

(4) \_\_\_\_\_  
☐ Present ☐ O/R ☐ Bond ☐ Custody

(4) \_\_\_\_\_  
☐ Present ☐ Appointed ☐ Retained

cc: ☐ Chambers ☐ Probation  
☒ Counsel of Record ☐ Pretrial Services  
☐ Jury Clerk ☐ US Marshal's

Document No.: 1

*[Signature]*